IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION NO.184 OF 2005

Mohammed Iqbal Yusuf Siddique. ...Petitioner.

Vs.

Union of India & Ors. ...Respondents.

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Mr.A.K.Tripathi with Shailesh Shukla for the Petitioner.

Mr.P.M.Palshikar for Respondent Nos.2 and 3.

Mr.R.M.Sawant for Respondent No.4.

Mr.Rajesh Patil for Respondent No.5.

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CORAM : DR.D.Y.CHANDRACHUD, J.

February 28, 2005.

P.C. :

The claim of the Petitioner for allotment of alternative accommodation has been considered by the Regional Grievance Redressal Committee as well as by the Appellate Authority constituted under the Mumbai Metropolitan Region Development Authority. It has been found that the name of the Petitioner

does not figure in the voters' list of 1995. The Ration Card is of the year 1997. Exh.A to the Petition is an affidavit dated 8th May 1995 alleged to have been executed by the erstwhile owner in favour of the Petitioner. Despite this, in paragraph 14 of the Petition, there is an averment that the Petitioner was in occupation prior to 1995. There is no evidence to show that the Petitioner was an occupant as on 1st January 1995. In the circumstances, no interference is called for. The Petition is rejected.

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